

## Message Text

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16

ACTION DLOS-04

INFO OCT-01 ARA-06 EUR-12 IO-10 ISO-00 ACDA-05 AGR-05

AID-05 CEA-01 CEQ-01 CG-00 CIAE-00 CIEP-01 OFA-01

COME-00 DODE-00 DOTE-00 EB-07 EPA-01 ERDA-05 FMC-01

TRSE-00 H-02 INR-07 INT-05 JUSE-00 L-03 NSAE-00

NSC-05 NSF-01 OES-03 OMB-01 PA-01 PM-03 PRS-01 SP-02

SS-15 USIA-06 FEA-01 /122 W  
----- 007813

R 090005Z AUG 75

FM AMEMBASSY MEXICO

TO SECSTATE WASHDC 9344

INFO USUN NEW YORK 1047

USMISSION GENEVA

AMEMBASSY OTTAWA

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E. O. 11652: N/A

TAGS: PFOR, PLOS, MX

SUBJECT: LEGAL "JUSTIFICATION"FOR MEXICO'S 200-MILE DECLARATION

REF: MEXICO 6957

1. GOVERNMENT-LINING EL NACIONAL, IN A LENGTHY EDITORIAL AUGUST 7, TRUMPETED SUPPORT FOR GOM ANNOUNCEMENT UNILATERALLY DECLARING A 200-MILE "EXCLUSIVE ECONOMIC ZONE" OFF ITS SHORES. IN RECITING TERMS OF GOM DECLARATION, EDITORIAL ADDED ONE FEATURE NOT PREVIOUSLY NOTED IN OUR REPORTS: THAT DECLARATION INCLUDED ADOPTION OF MEASURES AIMED AT PREVENTING MARINE POLLUTION AND PRESERVING MARINE LIFE.

2. NACIONAL THEN GAVE PHILOSOPHICAL BASIS FOR MEXICAN  
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ACTION: RESULTS OF TWO LOS CONFERENCES IN 1974 HAD BEEN

"POOR", DUE TO RESISTANCE AND TACTICAL DELAYS OF A SMALL GROUP OF INDUSTRIAL POWERS WHICH FRUSTRATED THIRD WORLD HOPES. FOR CENTURIES, DEVELOPING COUNTRIES HAD SUFFERED UNLIMITED EXPLOITATION OF THEIR MATERIAL AND HUMAN RESOURCES. INDUSTRIALIZED POWERS, WITH THEIR GREAT NAVAL STRENGTH, IGNORED BARRIERS WHICH THIRD WORLD COUNTRIES ATTEMPTED TO ERECT. FISHING FLEETS OF U.S., JAPAN, AND OTHERS WERE ABLE TO EXPLOIT OCEAN RESOURCES AT WILL AND CONSIDERED ANY LIMITATIONS INTOLERABLE AND CONTRARY TO THEIR INTERESTS.

3. EDITORIAL THEN NOTED LONG SERIES OF UNILATERAL ACTIONS BY INDUSTRIALIZED COUNTRIES IN WHICH THEY EXERCISED "SOVEREIGN" RIGHTS IN MANNER THEY NOW CONSIDER OFFENSIVE WHEN ATTEMPTED BY DEVELOPING NATIONS:

A. VOLLSTEAD ACT (1919-1933) AND COMPLEMENTARY U.S. LAWS PERMITTING AUTHORITIES TO ACT ON HIGH SEAS TO PREVENT INTRODUCTION OF ALCOHOLIC BEVERAGES ONTO U.S. TERRITORY.

B. ANTI-SMUGGLING LAW (1939), ALLOWING CUSTOMS AND NAVAL AUTHORITIES TO ENFORCE U.S. CUSTOMS LAW FROM 50 TO 100 MILES OFF U.S. COASTS.

C. FIRST MEETING OF CONSULTATION OF (INTER-AMERICAN) FOREIGN MINISTERS (1939), WHICH DEFINED A 300-MILE ZONE OFF HEMISPHERE COASTS IN WHICH ACTIONS BY BELLIGERENT POWERS WERE PROHIBITED.

D. TRUMAN DECLARATION (1945) ESTABLISHING U.S. RIGHTS OVER NATURAL RESOURCES OF SUBSOIL AND SEABEDS OF CONTINENTAL SHELF BENEATH HIGH SEAS OFF U.S. COASTS.

E. PROCLAMATION 2688 (1945), IN WHICH U.S. RESERVED CONSERVATION RIGHTS IN CERTAIN HIGH SEAS AREAS CONTIGUOUS TO ITS COASTS WHERE FISHING ACTIVITIES WERE OR MIGHT BE CARRIED OUT ON SUBSTANTIAL SCALE, CITING PRESERVATION OF RESOURCES AND ENCOURAGEMENT OF LOCAL EMPLOYMENT AS REASONS.

F. CANADA (CONTINUES NATIONAL'S LIST) RECENTLY ENACTED LEGISLATION TO PROTECT AGAINST POLLUTION OF ITS SEAS, "ESTABLISHING SOVEREIGNTY" OVER A ZONE LIMITED OFFICIAL USE

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100 MILES FROM ITS COASTS. CURRENTLY IT CLAIMS A 200 MILE ZONE AND PROHIBITS USE OF ALL WEAPONS OF MASS DESTRUCTION, SUCH AS NUCLEAR MISSILES, WITHIN THIS ZONE.

G. AMONG LATIN AMERICAN COUNTRIES, SALVADOR, CHILE, ECUADOR, PERU, NICARAGUA, ARGENTINA, PANAMA, URUGUAY, BRAZIL, AND COSTA RICA HAVE DECLARED 200 MILE ZONES. DECLARATIONS OF MONTEVIDEO, LIMA,

AND SANTA DOMINGO FORMULATED LATIN AMERICAN  
POSITIONS ON LOS. AND A MAJORITY OF LATIN  
AMERICAN STATES HAVE LEGISLATED SOVERIEGNTY  
OVER 200 MILE ZONES.

4. NACIONAL CONCLUDES THAT COMMON PURPOSE WITH OTHER  
LATIN AMERICAN NATIONS IN DEFENDING RESOURCES AND  
ESTABLISHING RATIONAL EXPLOITATION MEASURES COMPELLED  
ECHEVERRIA TO TAKE UNILATERAL STEP,"WHICH CONSTITUTES  
CONCRETE APPLICATION OF CERDS AND ASSURES ACCESS OF  
DEVELOPING NATIONS TO RESOURCES NEEDED FOR THEIR GROWTH."

5. COMMENT: NACIONAL EDITORIAL SOUNDS SUSPICIOUSLY  
LIKE EXTRACTS FROM LEGAL "BULLETIN" WHICH FONSEC  
SOURCES TOLD US GOM HAD PREPARED TO ISSUE AS FOLLOW-UP  
ON ECHEVERRIA DECLARATION AND AT LAST MOMENT DECIDED TO  
WITHHOLD "IN ORDER TO PERMIT GREATER NEGOTIATING  
FLEXIBILITY"WITH AFFECTED NEIGHBORS.  
BRANDIN

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## Message Attributes

**Automatic Decaptioning:** X  
**Capture Date:** 01 JAN 1994  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** PRESS COMMENTS, WATER POLLUTION, TWO HUNDRED MILE LIMIT  
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**Copy:** SINGLE  
**Draft Date:** 09 AUG 1975  
**Decaption Date:** 01 JAN 1960  
**Decaption Note:**  
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**Disposition Approved on Date:**  
**Disposition Authority:** MorefiRH  
**Disposition Case Number:** n/a  
**Disposition Comment:** 25 YEAR REVIEW  
**Disposition Date:** 28 MAY 2004  
**Disposition Event:**  
**Disposition History:** n/a  
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**Office:** ACTION DLOS  
**Original Classification:** LIMITED OFFICIAL USE  
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Margaret P. Grafeld  
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**Secure:** OPEN  
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**Subject:** LEGAL "JUSTIFICATION"FOR MEXICO'S 200-MILE DECLARATION  
**TAGS:** PFOR, PLOS, MX  
**To:** STATE  
**Type:** TE  
**Markings:** Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 06 JUL 2006